

UNITED STATES DISTRICT COURT
DISTRICT OF SOUTH DAKOTA
SOUTHERN DIVISION

KEVIN CHRISTOPHER MICHEAL TRIPP,

4:19-CV-04071-LLP

Plaintiff,

vs.

FEDERAL GOVERNMENT OF THE U.S.A.,
MATTHEW W. THELEN, FEDERAL CLERK
OF COURTS;

ORDER

Defendants.

Plaintiff, Kevin Christopher Michael Tripp, is an inmate at the South Dakota State Penitentiary in Sioux Falls. On April 3, 2019, Tripp filed a pro se complaint. Docket 1. Tripp also filed a motion to proceed in forma pauperis but did not file “a certified copy of the trust fund account statement (or institutional equivalent) for the prisoner for the 6-month period immediately preceding the filing of the complaint” as is required. 28 U.S.C. § 1915; Docket 2.

The court will provide Tripp an additional thirty days to file “a certified copy of the trust fund account statement (or institutional equivalent) for the prisoner for the 6-month period immediately preceding the filing of the complaint.” 28 U.S.C. § 1915(a)(2). Failure to comply with this order and submit a certified prisoner trust account report by the deadline set will result in dismissal without prejudice of this action. *See In re Prison Litig. Reform Act*, 105 F.3d 1131, 1132 (6th Cir. 1997) (“If an inmate not paying the full filing fee fails to provide an affidavit of indigency or trust account statement, the district court shall notify the prisoner of the deficiency and the

prisoner shall have thirty (30) days from the date of the deficiency order to correct the error or pay the full filing fee. If the prisoner does not comply with the district court's directions, the . . . district court must then order the case dismissed for want of prosecution."); *see also Perry v. Boston Scientific Family*, CIV. No. 11-3464 (DWF/LIB), 2012 WL 694713, at *2 (D. Minn. Feb. 9, 2012), report and recommendation adopted, CIV. No. 11-3464 (DWF/LIB), 2012 WL 694700, at *1 (D. Minn. Mar. 1, 2012) (collecting cases holding dismissal appropriate when pro se litigant fails to comply with pauper requirements and court orders). Thus, it is

ORDERED that the Clerk of Court mail this order and a Prisoner Trust Account Report to Tripp.

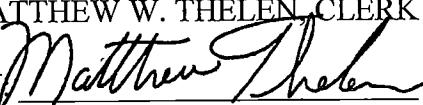
IT IS FURTHER ORDERED that Tripp will complete the Prisoner Trust Account Report according to that document's directions and return it by June 6, 2019. Failure to file the Prisoner Trust Account Report by June 6, 2019, will result in dismissal without prejudice of the complaint.

DATED May 7, 2019.

BY THE COURT:



Lawrence L. Piersol
United States District Judge

ATTEST:
MATTHEW W. THELEN, CLERK
BY 
(SEAL) DEPUTY